

ECKERT SEAMANS CHERIN & MELLOTT, LLC

By: Nicholas M. Gaunce, Esq. (Pa Attorney Id. No. 206228)
Physical Address: 2000 Lenox Drive, suite 203, Lawrenceville, NJ 08648
Mailing Address: P.O. Box 5404, Princeton, NJ 08543
Telephone: (609)392-2100
E-mail: ngaunce@eckertseamans.com
(609) 989-5058 (Telephone)
(609) 392-7956 (Fax)

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA

NEXTGEAR CAPITAL, INC.,

CIVIL DIVISION

Plaintiff,

No. 3:18-cv-01617-MEM

vs.

ANTONIO L. GUTIERREZ; PAUL GUTIERREZ,

Defendants.

PRAECIPE FOR LIS PENDENS

TO THE DIRECTOR, DEPARTMENT OF COURT RECORDS, CIVIL DIVISION:

Please index the above-captioned action as a lis pendens against the following real property
and all assets thereon:

ALL THAT CERTAIN Lot or lots, parcel or piece of ground situate in the Township of Stroud, Monroe County, Commonwealth of Pennsylvania, being Lot No. 33, Section II, as is more particularly set forth on the Plot Map of Cranberry Hill Corporation, Penn Estates, as same is duly recorded in the Office for the Recording of Deeds, etc., Stroudsburg, Monroe County, Pennsylvania in Plat Book Volume 32, Page(s) 123, 125.

UNDER AND SUBJECT, nevertheless, to all reservations, restrictions, covenants, conditions, easements, leases and rights of way appearing of record.

BEING the same premises which William E. Moore and Victoria L. Moore, husband and wife, by Deed dated 02/16/2002 and recorded 03/28/2002 in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania, Instrument No. 200212710, Book 2118, Page 4988, granted and conveyed unto Carlos E. Andagana and Jeanneth C. Gonzalez, as joint tenants with the right of survivorship.

TOGETHER WITH all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights liberties, privileges, hereditaments, and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all of the estate, right, title, interest, property, claim and demand whatsoever of them the grantor, as well at law as in equity, of, in and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns forever.

Parcel No 17/15E/1/33

PIN: 17638204921888

Property address known as 5334 Delia Terrace, East Stroudsburg, PA 18301

Current/Prior Deed Reference Deed from Antonio Luis Gutierrez to Paul Gutierrez dated September 28, 2016 recorded on October 4, 2016 at Book 2479, Page 1455.

Respectfully submitted,

/s/ Nicholas M. Gaunce

Nicholas M. Gaunce

Pa. I.D. No. 206228

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Attorneys for Plaintiff, NextGear Capital, Inc.

Dated: September 27, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing PRAECIPE FOR LISPENDENS, filed by Nextgear Capital, Inc., was served on the defendants of record via personal service on or about September 27, 2018:

Antonio L. Gutierrez
100 Alexander Way
Edgewater, NJ 07020

- and -

Paul Guiterrez
361 Maple Street
Moonachie, NJ 07074

/s/ Nicholas M. Gaunce
Nicholas M. Gaunce, Esq.

Dated: September 27, 2018